

DRAFT

**Minutes
Windsor Town Council Meeting
Town Hall
December 8, 2009**

The Windsor Town Council met in regular session on December 8, 2009 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Police Chief Porti, Michael Stallings, Assistant Town Manager/Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present:	J. Clinton Bryant Wesley F. Garris William L. Jones Carita J. Richardson Durwood V. Scott Greg Willis
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Mayor Crocker asked Councilman Willis to give the invocation and Councilman Willis did.

Public Hearing

Mayor Crocker said there is a public hearing to consider the application of Holland Meadows, Inc. and Art-Ray Corporation for preliminary plan approval of a subdivision plat entitled "Holland Meadows" for certain property located on Shiloh Drive, Windsor, Virginia, designated as Tax Map 54-01-097 and zoned R-1 MPH Conditional, pursuant to the provisions of Section 160-66 et seq. of the Land Development Ordinance of the Town of Windsor, Virginia. He asked the Town Attorney if the public hearing had been properly advertised. Mr. Pretlow said yes, the public hearing was properly advertised as well as a notice given to all surrounding property owners and an affidavit filed with the Clerk.

Mayor Crocker asked Mr. Stallings to brief Council on the application. Mr. Stallings said Council approved the rezoning of this property on June 9, 2009. He said the Planning Commission held a public hearing on this subdivision application at its 28 October meeting. He said Planning Commission adopted a motion to unanimously recommend to Council for its approval of the application. He said there have been no substantial changes to the subdivision plan since Council's approval of the rezoning application in June. He said he recommends that Council adopt a motion approving this subdivision application. Mr. Stallings said this is the second to the last step in the process before the developers can

begin construction. He said later on the agenda is Council's approval of the final subdivision plat.

Mayor Crocker opened the public hearing and asked for any persons wishing to speak in favor of the application to come forward at this time.

Brian Layne, an agent with Holland Meadows, said he is here tonight to answer any questions for Council. He said, after approval of this application, the developers plan to start installing meters the first of the year.

Mayor Crocker asked for any persons wishing to speak in opposition of the application to come forward at this time, and hearing none he closed the public hearing. He said it is now open for discussion among Council. Councilwoman Richardson said Planning Commission reviewed the application and made a motion to recommend to Council for approval at its October meeting.

Councilman Scott made a motion to approve the Holland Meadows subdivision application. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Delegations, Public Comments, and Citizens Concerns

None

Consent Agenda

Mayor Crocker asked for approval of the consent agenda, which included the minutes of the November 10, 2009 Council meeting, and the Treasurer's reports. Mayor Crocker noted one correction to the minutes, which the Clerk had previously made. Vice Mayor Jones made a motion to approve the consent agenda with the noted correction. Councilman Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Town Manager's Report (Given by the Assistant Town Manager)

Presentation from Hampton Roads Planning District Commission – Stormwater Management Program

Mr. Stallings said the first item is the Stormwater Management Program and Claire Jones from Hampton Roads Planning District Commission (HRPDC) is present to brief Council on this plan. He said as Council knows, the HRPDC completed the revision of the Town's Comprehensive Plan just over a year ago in September 2008. He said since that time the staff of the HRPDC has been working on a Stormwater Management Plan for the Town. He said the Town is required to have a plan in place by year 2012. He said by adopting the plan now, it puts the Town ahead of the curve and allows continued work on ordinances

which will be part of the plan. He said if Council has no major concerns with the plan presented, then he recommends that Council hold a public hearing on the adoption of the Stormwater Management Plan at its January 12, 2010 meeting.

Clair Jones said the purpose of the Stormwater Management Plan is to fulfill the State requirement set forth in HB1177 that mandates all Chesapeake Bay localities have a Stormwater Management Program in place by year 2012. She said this program is designed to meet the six minimum requirements mandated by the State.

Ms. Jones said the program is broken into six parts. She said the parts she is going to concentrate on are part two and part five. She said part two relates to six minimum control measures required by the State, which are public outreach and education, public involvement/participation, illicit discharge detection and elimination, construction site stormwater runoff control (currently handled by Isle of Wight County), post-construction stormwater management, and pollution prevention/good housekeeping (training/education for Town staff). Ms. Jones briefly explained each of these six control measures to Council.

Ms. Jones said part five of the Stormwater Management Program is comparison of Town policies and ordinances to State regulations. She briefly reviewed this section with Council.

After discussion among Council, Council decided that it would like more information regarding the costs to implement this program, and Council asked Town staff to prepare a list of items that the County will continue to take care of and a list of items that the Town will be responsible for in the program. Mr. Stallings said he would research this information further, and he would get an estimate of cost and prepare the lists requested by Council.

Council decided to wait and possibly schedule the public hearing in February. Council said it would like to have a Council work session in January to review the information provided by Town staff.

Presentation of the Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2009

Mr. Stallings said the next item is the presentation of the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2009. He said Diane Smith, auditor for the Town, is present to review the audit with Council. Mr. Stallings asked Mr. Rowe if he had any further comments before Mrs. Smith starts the presentation. Mr. Rowe said he looks at this report as Council's audit on the staff's ability to manage the finances of the Town. He said Mrs. Smith is prepared to spend as much time as needed to make sure Council is comfortable with the audit report.

Mrs. Smith said the CAFR is divided into sections. She said the first section is the introductory section which includes the Letter of Transmittal written by John Rowe, list of elected and appointed officials, and the management's discussion and analysis.

She said the second section of the report is the financial section which includes the Independent Auditor's Report which is unmodified; which is the highest opinion that the Town can receive. She said she was very pleased with working with the Town staff this year. Mrs. Smith thanked Council and staff for having an information technology person working with staff to make sure the Bright system is working correctly for the Town.

She said also in this section is the basic financial statements. She said there are two sets of statements which are government-wide financial statements and fund financial statements.

Mrs. Smith said following the financial section is the individual statements, a statistical section and the compliance section.

Mrs. Smith said this chart is the balance sheet of the Town on a Government-wide basis. She reviewed the following figures with Council.

Government-wide - Statement of Net Assets

	Governmental Activities	Business-Type Activities	Total
Other Assets	\$ 1,464,229	\$ 276,635	\$ 1,740,864
Capital Assets	1,006,708	1,812,138	2,818,846
Total Assets	2,470,937	2,088,773	4,559,710
Long-Term Liabilities	-	763,140	763,140
Other Liabilities	44,796	49,898	94,694
Total Liabilities	44,796	813,038	857,834
Invested in Capital Assets	1,006,708	1,812,138	2,818,846
Unrestricted	1,419,433	(536,403)	883,030
Total Net Assets	2,426,141	1,275,735	3,701,876
Total Net Assets & Liabilities	\$ 2,470,937	\$ 2,088,703	\$ 4,559,710

Mrs. Smith said this chart is the revenues for the Town on a government-wide basis:

Government-wide - Statement of Activities – Revenues

	Governmental Activities	Business-Type Activities	Total
Program Service Revenues			
Charges for services	\$ 186,506	\$ 369,859	\$ 556,365
Operating grants	103,343	14,000	117,343
General Revenues			
Property taxes	312,852	-	312,852
Other taxes	747,494	-	747,494
Interest	22,772	15,295	38,067
Total Revenues	\$ 1,372,967	\$ 399,154	\$ 1,772,121

Mrs. Smith said the largest source of revenue is other local taxes, (meals tax, utility tax, sales tax, etc.) which is 42% of the total revenues. She said charges for services is 31%, general property taxes is 18% of the total revenues.

She said these figures in this chart reflect the expenses of the Town:

Government-wide - Statement of Activities – Expenses

	Governmental Activities	Business-Type Activities	Total
General government	\$ 534,782	\$ -	\$ 534,782
Public safety	436,382	-	436,382
Public works	116,126	-	116,126
Community development	15,515	-	15,515
Water services	-	467,726	467,726
Cemetery	-	2,276	2,276
Total Expenses	\$ 1,102,805	\$ 470,002	\$ 1,572,807

Mrs. Smith said this next table puts the revenues and expenses together to reflect the Town's total net assets (see next page):

Government-wide - Statement of Activities – Net Assets

	Governmental Activities	Business-Type Activities	Total
Revenues	\$ 1,372,967	\$ 399,154	\$ 1,772,121
Expenses	1,102,805	470,002	1,572,807
Change in net assets	270,162	(70,848)	199,314
NET ASSETS			
Beginning	2,123,979	1,378,583	3,502,562
Transfers	32,000	(32,000)	-
Ending	\$ 2,426,141	\$ 1,275,735	\$ 3,701,876

Mrs. Smith continued her presentation of the audit by briefly reviewing the General Fund revenues and expenses, the Water Fund revenues and expenses, and the Cemetery Fund revenues and expenses actual to budget. She said the General Fund Revenues were over the budgeted total by \$110,561 and the General Fund Expenses were under the budgeted total by \$260,055, which is an increase to the General Fund balance in the amount of \$370,616. She briefly reviewed the Statement of Audit Standards with Council, which states one deficiency with the Town being the auditor prepares the financial statement for the Town.

At the completion of Mrs. Smith's presentation of the CAFR and after Council's discussion, Councilwoman Richardson made a motion to receive the Comprehensive Annual Financial Report for the fiscal year ending 30 June 2009, and to authorize and direct the Town Manager to distribute the same. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3.

Holland Meadows Phase One Final Subdivision Plat

Mr. Stallings said earlier on the agenda Council approved the Holland Meadows subdivision application. He said the enclosed plat is for phase one of three of the Holland Meadows subdivision. He said this is the last step before the developers can begin construction. Mr. Stallings said the subdivision plat is identical to the preliminary plat that Council approved with the subdivision application earlier. He said the plat is in compliance with the Town's subdivision ordinance. He said he would recommend that Council adopt a motion approving the final subdivision plat for phase one of Holland Meadows. Mr. Stallings said each of the final plats for each of the three phases will come before Council for approval.

Councilman Garris made a motion to approve the final subdivision plat for Phase One of Holland Meadows. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Isle of Wight County – Intergovernmental Relations Meeting

Mr. Stallings said Vice Mayor Jones and Isle of Wight County Board of Supervisors member Tom Wright are recommending the scheduling of an Intergovernmental Relations meeting for 5:30 p.m. Wednesday, December 16, 2009. He said he also recommends putting on the agenda a report, which Council requested, regarding the police station and also a closed session for discussion of personnel matters. Mr. Stallings said this meeting would be a Special Council meeting.

Vice Mayor Jones made a motion to schedule a Special Council meeting on December 16, 2009 at 5:30 p.m. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Calendar of Events

Mr. Stallings said the calendar of events is in Council's agenda packet for Council's information. He said the Pre-Legislative Session Breakfast is 8:00 a.m. January 7, 2010 at the Smithfield Center. He asked that anyone wishing to attend to let staff know so reservations could be made. Mayor Crocker, Vice Mayor Jones, Councilman Garris, Councilman Scott, Councilwoman Richardson, and Joshua Pretlow all indicated that they would like to attend the breakfast.

Other

Mr. Rowe reported to Council the status of the Rural Development loan. He said the loan package was hand delivered to Richmond by Rural Development today.

Police Chief's Report

Chief Porti said for the month of November there were a total of 211 calls of which Windsor Police Department answered 203 calls. He said there were a total of 229 traffic stops which resulted in 201 traffic summons and 24 warnings. He said there was one wanted person arrested through traffic enforcement. Chief Porti said there were four felony arrests which resulted in six charges and 11 misdemeanor arrests which resulted in 13 charges. He briefed Council on other events and community activities the department had been involved with during the month of November.

Town Attorney's Report

No report.

Mayor's Report

Mayor Crocker said the Town's tree lighting event was very nice. He thanked Councilwoman Richardson and staff for all the preparations for this event. He said the action list from the Isle of Wight County Board of Supervisors meeting for November 19, 2009 is in the Town office for Council's review.

Other Reports

Councilman Scott said the Economic Development Committee met December 7, 2009. He said Donnie Goldsburg, with Industrial Development Authorities (IDA) spoke with the committee, and he had many good ideas for economic development. He said Mr. Goldsburg also spoke about the Town establishing an authority. He said more information will come to Council at a later date.

Planning Commission

Mr. Stallings said the Planning and Zoning report for the month of November is before Council. He said the Town issued two zoning permits and zero notices of violation.

Mr. Stallings said the next Planning Commission meeting is 7:00 p.m. on January 27, 2010.

Old or Unfinished Business

Vice Mayor Jones said he is still receiving complaints about the number of cars on a resident's property. He said something needs to be addressed concerning this issue. Mr. Pretlow said he will revisit the issue. He said he will get with Mr. Stallings to see what can be worked out with the individual. Mr. Stallings said he would contact the resident to see if he is willing to do something voluntarily.

Councilman Garris said he is also receiving complaints about an accessory building in Town. He said the ordinance needs to be reviewed to regulate the appearance, size, and construction materials of accessory buildings. Mr. Pretlow said this issue was addressed several years ago and the issue died after getting complaints about the strict regulations. He said he is willing to pull the information that was presented the first time and see if anything can be re-worked to assist with accessory building problems. Mr. Stallings said he and Mr. Pretlow will research this issue further.

Councilman Willis asked about the status of the sidewalk project. Mr. Stallings said staff is finalizing the contract with the engineers. He said then the engineers will have a package that can be delivered to VDOT for their approval and then the project will be advertised for bids. He said the project is moving forward diligently.

New Business

Council discussed the topics it wanted to have on the agenda for the Intergovernmental Relations meeting with Isle of Wight County. The topics noted were: 1) Route 460 six-way intersection and its safety issues 2) Intermodal Park including the County's comments 3) Work jointly to keep Route 460 at the forefront for funds to construct the bypass 4) What can the Town do to help the County with planning for the Intermodal Park 5) Transportation – Working jointly with the County and the Transportation Planning Organization (TPO).

Councilman Scott made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-3 for the purpose of discussing real estate matters regarding property within the Town of Windsor. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Councilman Willis made a motion to go back into regular session. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Councilman Garris made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such business matters as were identified in the motion that Council passed to go into closed session. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Councilman Garris made a motion to adjourn. Vice Mayor Jones seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9. The meeting adjourned at 9:56 p.m.

Marvin A. Crocker, Jr., Mayor

Robin Hewett, Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date

December 8, 2009

Motion #	Willis	Richardson	Garris	Jones	Bryant	Scott	M. Crocker
1	Y	Y	Y	Y	Y	Y	
2	Y	Y	Y	Y	Y	Y	
3	Y	Y	Y	Y	Y	Y	
4	Y	Y	Y	Y	Y	Y	
5	Y	Y	Y	Y	Y	Y	
6	Y	Y	Y	Y	Y	Y	
7	Y	Y	Y	Y	Y	Y	
8	Y	Y	Y	Y	Y	Y	
9	Y	Y	Y	Y	Y	Y	
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Windsor Town Council
December 8, 2009
Robin Hewett, Clerk/Treas.